

11.8138.04000

Sixty-second
Legislative Assembly
of North Dakota

**FIRST ENGROSSMENT
with Conference Committee Amendments
ENGROSSED SENATE BILL NO. 2015**

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the various divisions
2 under the supervision of the director of the office of management and budget, the
3 superintendent of public instruction, the state board of higher education, and the department of
4 human services; to create and enact a new section to chapter 48-01.2, a new subdivision to
5 subsection 1 of section 54-10-14, and a new section to chapter 54-27 of the North Dakota
6 Century Code and a new section to House Bill No. 1185, a new section to Senate Bill No. 2083,
7 and a new subdivision to subsection 6 of section 1 of House Bill No. 1438, as approved by the
8 sixty-second legislative assembly, relating to public improvement bids and contracts, entities
9 required to be audited by the state auditor, a report on federal grants, an emergency
10 declaration, and an employer's prohibition on firearm possession; to amend and reenact section
11 39-02-03, subdivision a of subsection 2 of section 54-03-20, and sections 54-16-03.1 and
12 54-35-02.3 of the North Dakota Century Code and sections 1 and 8 of House Bill No. 1014 and
13 sections 1 and 8 of House Bill No. 1020, as approved by the sixty-second legislative assembly,
14 relating to the powers and duties of the director of the department of transportation, housing
15 reimbursement for members of the legislative assembly, petitions to the emergency
16 commission, legislative management employee benefits programs committee, appropriations
17 for the industrial commission, and appropriations to the branch research centers; to provide an
18 exemption; to provide for various transfers; to provide legislative intent; to provide for legislative
19 management reports; and to declare an emergency.

20 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

21 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
22 as may be necessary, are appropriated out of any moneys in the general fund in the state
23 treasury, not otherwise appropriated, and from special funds derived from federal funds and
24 other income, to the office of management and budget for the purpose of defraying the

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1 expenses of that agency, for the biennium beginning July 1, 2011, and ending June 30, 2013, as
2 follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>	
3				
4				
5	Salaries and wages	\$17,203,386	\$1,314,377	\$18,517,763
6	Operating expenses	13,363,053	402,201	13,765,254
7	Emergency commission contingency	0	700,000	700,000
8	fund			
9	Capital assets	2,420,298	6,369,845	8,790,143
10	Grants	430,000	(375,000)	55,000
11	Prairie public broadcasting	1,337,138	(337,138)	1,000,000
12	State student internship program	200,000	0	200,000
13	Statewide equity plan	<u>15,984,000</u>	<u>(15,984,000)</u>	<u>0</u>
14	Total all funds	\$50,937,875	(\$7,909,715)	\$43,028,160
15	Less estimated income	14,688,779	(4,174,318)	10,514,461
16	Total general fund	\$36,249,096	(\$3,735,397)	\$32,513,699
17	Full-time equivalent positions	132.50	(1.00)	131.50

18 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**

19 **SIXTY-THIRD LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding
20 items approved by the sixty-first legislative assembly for the 2009-11 biennium and the 2011-13
21 one-time funding items included in the appropriation in section 1 of this Act:

	<u>One-Time Funding Description</u>	<u>2009-11</u>	<u>2011-13</u>
22			
23	Prairie public broadcasting	\$2,016,200	\$0
24	ConnectND	1,000,000	0
25	Facility management repairs and equipment	2,850,000	0
26	Administration projects	126,041	0
27	Federal fiscal stimulus	689,494	0
28	Capital envelope	0	2,800,000
29	Capitol complex parking lot repairs	0	800,000
30	North Dakota 125 anniversary coordinator	<u>0</u>	<u>50,000</u>
31	Total all funds	\$6,681,735	\$3,650,000

1	Less estimated income	<u>1,823,635</u>	<u>0</u>
2	Total general fund	\$4,858,100	\$3,650,000

3 The 2011-13 one-time funding amounts are not a part of the entity's base budget for the
4 2013-15 biennium. The office of management and budget shall report to the appropriations
5 committees of the sixty-third legislative assembly on the use of this one-time funding for the
6 biennium beginning July 1, 2011, and ending June 30, 2013.

7 **SECTION 3. APPROPRIATION - TRANSFER - GENERAL FUND TO PUBLIC**

8 **TRANSPORTATION FUND.** There is appropriated out of any moneys in the general fund in the
9 state treasury, not otherwise appropriated, the sum of \$100,000, which the office of
10 management and budget shall transfer to the public transportation fund during the biennium
11 beginning July 1, 2011, and ending June 30, 2013.

12 **SECTION 4. TRANSFER TO GENERAL FUND FROM STRATEGIC INVESTMENT AND**

13 **IMPROVEMENTS FUND.** During the biennium beginning July 1, 2011, and ending June 30,
14 2013, the director of the office of management and budget shall transfer \$305,000,000 from the
15 strategic investment and improvements fund to the general fund.

16 **SECTION 5. EXEMPTION.** The amount appropriated for the fiscal management division, as
17 contained in section 1 of chapter 15 of the 2009 Session Laws is not subject to the provisions of
18 section 54-44.1-11. Any unexpected funds from this appropriation are available for continued
19 development and operating costs of the accounting, management, and payroll systems, during
20 the biennium beginning July 1, 2011, and ending June 30, 2013.

21 **SECTION 6. INTENT.** Within the authority included in section 1 of this Act are the following
22 grants and special items:

23	Boys and girls clubwork	\$53,000
24	State memberships and related expenses	\$611,000
25	Unemployment insurance	\$1,500,000
26	Capitol grounds planning commission	\$25,000

27 **SECTION 7. STATE STUDENT INTERNSHIP PROGRAM.** The human resources division
28 of the office of management and budget may transfer to each eligible agency appropriated
29 general fund spending authority from the state internship program line item contained in
30 section 1 of this Act.

1 **SECTION 8. STATE EMPLOYEE COMPENSATION ADJUSTMENTS - GUIDELINES.** It is
2 the intent of the sixty-second legislative assembly that 2011-13 biennium compensation
3 adjustments for regular nonclassified state employees are to be based on documented
4 performance and equity and are not to be the same percentage increase for each employee.
5 Compensation adjustments for the 2011-13 biennium for regular classified state employees are
6 to be based on guidelines developed by the office of management and budget in accordance
7 with section 10 of this Act.

8 General increases based on legislative appropriations are to be given beginning with the
9 month of July 2011, to be paid in August 2011, and beginning with the month of July 2012, to be
10 paid in August 2012. Each agency appropriation is increased by three percent for the first year
11 of the 2011-13 biennium and three percent for the second year of the 2011-13 biennium.
12 Employees whose overall documented performance level does not meet standards are not
13 eligible for any salary increase.

14 Probationary employees are not entitled to the general increases. However, probationary
15 employees may be given all or a portion of the increases effective in July, paid in August, or
16 upon completion of probation, at the discretion of the appointing authority.

17 **SECTION 9. EXTERNAL COMPETITIVENESS TARGET - CLASSIFIED STATE**
18 **EMPLOYEE COMPENSATION ADJUSTMENT GUIDELINES - 2011-13 BIENNIUM.** The office
19 of management and budget shall set the external competitiveness target for the classified state
20 employee compensation system based on the funding provided by the sixty-second legislative
21 assembly for classified state employee compensation, for the biennium beginning July 1, 2011,
22 and ending June 30, 2013. The office of management and budget shall develop guidelines for
23 use by state agencies for providing compensation adjustments for regular classified state
24 employees, for the biennium beginning July 1, 2011, and ending June 30, 2013. The guidelines
25 must be developed in accordance with the compensation philosophy statement and
26 compensation system initiatives included in House Bill No. 1031, as approved by the
27 sixty-second legislative assembly, and the external competitiveness target as determined by the
28 office of management and budget.

29 **SECTION 10. OFFICE OF MANAGEMENT AND BUDGET - REPORTS TO LEGISLATIVE**
30 **MANAGEMENT - STATE EMPLOYEE COMPENSATION SYSTEM CHANGES.** The office of
31 management and budget shall provide periodic reports to the legislative management during

1 the 2011-12 interim on the status of implementation and administration of the compensation
2 philosophy statement and compensation system initiatives included in House Bill No. 1031, as
3 approved by the sixty-second legislative assembly.

4 **SECTION 11. INFORMATION TECHNOLOGY PROJECT PLANNING.** Each executive
5 branch state agency, excluding entities under the control of the state board of higher education,
6 considering the development of an information technology project with an estimated cost of
7 \$100,000 or more shall involve the information technology department in the planning and study
8 of the project, for the biennium beginning July 1, 2011, and ending June 30, 2013. A state
9 agency must receive a recommendation from the information technology department prior to
10 proceeding with any study relating to the project.

11 **SECTION 12. DRAFT APPROPRIATIONS ACTS - ALTERNATIVE FORMAT PILOT**
12 **PROJECT - SIXTY-THIRD LEGISLATIVE ASSEMBLY - EXCEPTION.** Notwithstanding
13 subsection 7 of section 54-44.1-06, the draft of proposed appropriations acts submitted by the
14 governor for introduction to the sixty-third legislative assembly for the highway patrol, protection
15 and advocacy project, secretary of state, and public service commission must be at the same
16 level of ongoing funding as provided by the sixty-second legislative assembly. The governor
17 shall attach a proposed draft amendment to the draft appropriations acts for these agencies
18 making the funding changes necessary to provide for the appropriations as recommended by
19 the governor, for the biennium beginning July 1, 2013, and ending June 30, 2015.

20 **SECTION 13. DEPARTMENT OF TRANSPORTATION MOTOR VEHICLE BRANCH**
21 **OFFICE AUTHORIZATION.** Notwithstanding any other provision of law, the department of
22 transportation is authorized to design and procure or construct additional office space, including
23 modular buildings or onsite construction, for use as a motor vehicle branch office, for the period
24 beginning with the effective date of this Act and ending June 30, 2013.

25 **SECTION 14. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES.** There is
26 appropriated out of any moneys in the general fund in the state treasury, not otherwise
27 appropriated, the sum of \$1,474,362, or so much of the sum as may be necessary, to the
28 department of human services for the purpose of completing the medicaid management
29 information system replacement project, for the biennium beginning July 1, 2011, and ending
30 June 30, 2013. This funding is considered to be one-time funding for the 2011-13 biennium and
31 is not to be part of the department's base budget for the 2013-15 biennium. The department

1 shall report to the appropriations committees of the sixty-third legislative assembly on the use of
2 this one-time funding.

3 **SECTION 15. AMENDMENT.** Section 1 of House Bill No. 1014, as approved by the
4 sixty-second legislative assembly, is amended and reenacted as follows:

5 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
6 as may be necessary, are appropriated out of any moneys in the general fund in the state
7 treasury, not otherwise appropriated, and from special funds derived from federal funds and
8 other income, to the state industrial commission and agencies under its control for the purpose
9 of defraying the expenses of the state industrial commission and agencies under its control, for
10 the biennium beginning July 1, 2011, and ending June 30, 2013, as follows:

11 Subdivision 1.

12 INDUSTRIAL COMMISSION

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
13			
14			
15	Salaries and wages	\$2,889,625	\$12,211,620
16	Operating expenses	847,318	3,493,744
17	Capital assets	(49,000)	0
18	Grants - Lignite research and	0	19,971,300
19	development		
20	Grants - Bond payments	(2,052,132)	25,389,733
21	Mineral resources contingency	743,972	743,972
22	Carbon dioxide storage facility	532,000	532,000
23	administrative fund		
24	Renewable energy development	<u>1,500,000</u>	<u>1,500,000</u>
25	Total all funds	\$4,411,783	\$63,842,369
26	Less estimated income	(1,797,756)	47,510,728
27	Total general fund	\$6,209,539	\$16,331,641
28	Less estimated income	(2,541,728)	46,766,756
29	<u>Total general fund</u>	<u>\$6,953,511</u>	<u>\$17,075,613</u>
30	Full-time equivalent positions	13.00	74.06

31 Subdivision 2.

1	BANK OF NORTH DAKOTA - OPERATIONS			
2			Adjustments or	
3		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
4	Bank of North Dakota operations	\$41,762,274	\$3,824,881	\$45,587,155
5	Capital assets	<u>1,455,000</u>	<u>(189,000)</u>	<u>1,266,000</u>
6	Total special funds	\$43,217,274	\$3,635,881	\$46,853,155
7	Full-time equivalent positions	176.50	0.00	176.50

8 Subdivision 3.

9	BANK OF NORTH DAKOTA - ECONOMIC DEVELOPMENT			
10			Adjustments or	
11		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
12	Partnership in assisting community	\$8,000,000	(\$2,000,000)	\$6,000,000
13	expansion fund			
14	Agriculture partnership in assisting	1,400,000	(400,000)	1,000,000
15	community expansion fund			
16	Beginning farmer revolving loan fund	950,000	450,000	1,400,000
17	Biofuels partnership in assisting	<u>0</u>	<u>1,000,000</u>	<u>1,000,000</u>
18	community expansion fund			
19	Total all funds	\$10,350,000	(\$950,000)	\$9,400,000
20	Less beginning farmer revolving	<u>950,000</u>	<u>(950,000)</u>	<u>0</u>
21	loan fund			
22	Total general fund	\$9,400,000	\$0	\$9,400,000

23 Subdivision 4.

24	MILL AND ELEVATOR ASSOCIATION			
25			Adjustments or	
26		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
27	Salaries and wages	\$22,599,324	\$3,418,684	\$26,018,008
28	Operating expenses	16,982,918	3,460,951	20,443,869
29	Contingencies	325,000	75,000	400,000
30	Agriculture promotion	<u>150,000</u>	<u>60,000</u>	<u>210,000</u>
31	Total from mill and elevator fund	\$40,057,242	\$7,014,635	\$47,071,877

1 Full-time equivalent positions 131.00 0.00 131.00
2 Subdivision 5.

3 HOUSING FINANCE AGENCY

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
4			
5			
6	Salaries and wages	\$534,449	\$6,516,277
7	Operating expenses	(3,562,732)	5,114,849
8	Grants	634,560	26,858,920
9	Housing finance agency contingencies	<u>0</u>	<u>100,000</u>
10	Total special funds	(\$2,393,723)	\$38,590,046
11	Full-time equivalent positions	0.00	46.00

12 Subdivision 6.

13 BILL TOTAL

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
14			
15			
16	Grand total general fund	\$6,209,539	\$25,731,641
17	Grand total special funds	5,509,037	180,025,806
18	<u>Grand total general fund</u>	<u>\$6,953,511</u>	<u>\$26,475,613</u>
19	<u>Grand total special funds</u>	<u>4,765,065</u>	<u>179,281,834</u>
20	Grand total all funds	\$11,718,576	\$205,757,447

21 **SECTION 16. AMENDMENT.** Section 8 of House Bill No. 1014, as approved by the
22 sixty-second legislative assembly, is amended and reenacted as follows:

23 **SECTION 8. CONTINGENT DEPARTMENT OF MINERAL RESOURCES FUNDING--**

24 **~~PERMANENT OIL TAX TRUST FUND - EMERGENCY COMMISSION APPROVAL.~~** Of the
25 funds appropriated in the mineral resources contingency line item in subdivision 1 of section 1
26 of this Act, \$743,972 is from the ~~permanent oil tax trust~~general fund. If funds are required due to
27 the drilling rig count exceeding one hundred eighty for at least thirty consecutive days, the oil
28 and gas division may spend up to \$192,393 of these funds and hire one full-time equivalent
29 position, upon emergency commission approval, and further if funds are required due to the
30 drilling rig count exceeding one hundred ninety for at least thirty consecutive days, the oil and
31 gas division may spend up to an additional \$192,393 of these funds and hire one full-time

1 equivalent position, upon emergency commission approval. If funds are required due to the total
2 number of oil wells in the state exceeding nine thousand three hundred, the oil and gas division
3 may spend up to \$359,186 and hire two full-time equivalent positions, upon emergency
4 commission approval.

5 **SECTION 17. AMENDMENT.** Section 1 of House Bill No. 1020, as approved by the
6 sixty-second legislative assembly, is amended and reenacted as follows:

7 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
8 as may be necessary, are appropriated out of any moneys in the general fund in the state
9 treasury, not otherwise appropriated, and from special funds derived from federal funds and
10 other income, to the North Dakota state university extension service, the northern crops
11 institute, the upper great plains transportation institute, the main research center, branch
12 research centers, and agronomy seed farm for the purpose of defraying the expenses of the
13 North Dakota state university extension service, the northern crops institute, the upper great
14 plains transportation institute, the main research center, branch research centers, and
15 agronomy seed farm, for the biennium beginning July 1, 2011, and ending June 30, 2013, as
16 follows:

17 Subdivision 1.

18 NORTH DAKOTA STATE UNIVERSITY EXTENSION SERVICE

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
20 Extension service	\$47,091,489	(\$64,835)	\$47,026,654
21 Soil conservation committee	<u>837,800</u>	<u>150,000</u>	<u>987,800</u>
22 Total all funds	\$47,929,289	\$85,165	\$48,014,454
23 Less estimated income	<u>25,928,877</u>	<u>(2,800,067)</u>	<u>23,128,810</u>
24 Total general fund	\$22,000,412	\$2,885,232	\$24,885,644
25 Full-time equivalent positions	255.75	1.00	256.75

26 Subdivision 2.

27 NORTHERN CROPS INSTITUTE

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
28 Total all funds	\$3,037,486	\$309,821	\$3,347,307

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1	Less estimated income	<u>1,598,265</u>	<u>56,460</u>	<u>1,654,725</u>
2	Total general fund	\$1,439,221	\$253,361	\$1,692,582
3	Full-time equivalent positions	11.00	0.00	11.00
4	Subdivision 3.			

UPPER GREAT PLAINS TRANSPORTATION INSTITUTE

6			Adjustments or	
7		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
8	Total all funds	\$23,326,992	\$742,969	\$24,069,961
9	Less estimated income	<u>21,737,199</u>	<u>413,134</u>	<u>22,150,333</u>
10	Total general fund	\$1,589,793	\$329,835	\$1,919,628
11	Full-time equivalent positions	52.30	0.00	52.30
12	Subdivision 4.			

MAIN RESEARCH CENTER

14			Adjustments or	
15		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
16	Main research center	\$87,530,418	\$11,059,555	\$98,589,973
17	Deferred maintenance	0	0	0
18	Grape and wine program committee	0	0	0
19	Federal fiscal stimulus 2009	<u>0</u>	<u>0</u>	<u>0</u>
20	Total all funds	\$87,530,418	\$11,059,555	\$98,589,973
21	Less estimated income	<u>45,013,267</u>	<u>(879,692)</u>	<u>44,133,575</u>
22	Total general fund	\$42,517,151	\$11,939,247	\$54,456,398
23	Full-time equivalent positions	329.26	4.00	333.26
24	Subdivision 5.			

RESEARCH CENTERS

26			Adjustments or	
27		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
28	Dickinson research center	\$5,012,580	\$1,375,982	\$6,388,562
29	Central grasslands research center	2,560,602	305,245	2,865,847
30	Hettinger research center	2,995,155	378,020	3,373,175
31	Langdon research center	2,091,572	287,235	2,378,807

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1	North central research center	3,973,952	425,869	4,399,821
2	Williston research center	2,922,183	487,906	3,410,089
3	Carrington research center	<u>6,727,962</u>	<u>398,526</u>	<u>7,126,488</u>
4	Total all funds	\$26,284,006	\$3,658,783	\$29,942,789
5	Less estimated income	<u>13,916,816</u>	<u>1,880,765</u>	<u>15,797,581</u>
6	Total general fund	\$12,367,190	\$1,778,018	\$14,145,208
7	Less estimated income	<u>13,916,816</u>	<u>1,080,765</u>	<u>14,997,581</u>
8	Total general fund	\$12,367,190	\$2,578,018	\$14,945,208
9	Full-time equivalent positions	95.49	2.00	97.49

10 Subdivision 6.

11 AGRONOMY SEED FARM

12			Adjustments or	
13		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
14	Agronomy seed farm	\$1,275,238	\$159,930	\$1,435,168
15	Total special funds	\$1,275,238	\$159,930	\$1,435,168
16	Full-time equivalent positions	3.00	0.00	3.00

17 Subdivision 7.

18 BILL TOTAL

19			Adjustments or	
20		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
21	Grand total general fund	\$79,913,767	\$17,185,693	\$97,099,460
22	Grand total special funds	<u>109,469,662</u>	<u>(1,169,470)</u>	<u>108,300,192</u>
23	Grand total general fund	\$79,913,767	\$17,985,693	\$97,899,460
24	Grand total special funds	<u>109,469,662</u>	<u>(1,969,470)</u>	<u>107,500,192</u>
25	Grand total all funds	\$189,383,429	\$16,016,223	\$205,399,652

26 **SECTION 18. AMENDMENT.** Section 8 of House Bill No. 1020, as approved by the
27 sixty-second legislative assembly, is amended and reenacted as follows:

28 **SECTION 8. PERMANENT OIL TAX TRUST FUND – DICKINSON RESEARCH CENTER -**
29 **OPERATING POOL FUNDING.** The estimated income general fund line item in subdivision 5 of
30 section 1 of this Act includes \$800,000 from the permanent oil tax trust fund. This of operating

1 pool funding is available only for defraying the costs of operations of the Dickinson research
2 center, for the biennium beginning July 1, 2011, and ending June 30, 2013.

3 **SECTION 19. APPROPRIATION.** There is appropriated out of any moneys in the general
4 fund in the state treasury, not otherwise appropriated, the sum of \$211,264, or so much of the
5 sum as may be necessary, to the superintendent of public instruction for the purpose of
6 allocation of mill levy reduction grants to school districts under chapter 57-64, for the period
7 beginning with the effective date of this Act and ending June 30, 2011.

8 **SECTION 20. APPROPRIATION - STATE BOARD OF HIGHER EDUCATION.** There is
9 appropriated out of any moneys in the general fund in the state treasury, not otherwise
10 appropriated, the sum of \$150,000, or so much of the sum as may be necessary, to the state
11 board of higher education for the purpose of supporting educational leadership programs at the
12 university of North Dakota and North Dakota state university, for the biennium beginning July 1,
13 2011, and ending June 30, 2013.

14 **SECTION 21.** A new section to House Bill No. 1185, as approved by the sixty-second
15 legislative assembly, is created and enacted as follows:

16 **SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.

17 **SECTION 22.** A new subdivision to subsection 6 of section 1 of House Bill No. 1438, as
18 approved by the sixty-second legislative assembly, is created and enacted as follows:

19 The state hospital.

20 **SECTION 23.** A new section to Senate Bill No. 2083, as approved by the sixty-second
21 legislative assembly, is created and enacted as follows:

22 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.

23 **SECTION 24. AMENDMENT.** Section 39-02-03 of the North Dakota Century Code is
24 amended and reenacted as follows:

25 **39-02-03. Powers and duties of director and department.**

26 The director, subject to the approval of the governor, may adopt and enforce such
27 administrative rules and designate such agencies and establish such branch offices as may be
28 necessary to carry out the laws applicable to the director's office and department. The director
29 shall provide suitable forms for applications, registration cards, license number plates, and all
30 other forms requisite for the operation of the director's office and department, and shall prepay
31 all transportation charges thereon. In addition, the director shall provide for a uniform maximum

1 fee schedule for the various services provided by the branch offices. Any branch office may
2 establish a different fee schedule if the schedule does not contain a fee that exceeds a
3 maximum fee established by the director and is approved by the director. All branch office
4 managers must be bonded. The department may lease or provide office space or other
5 overhead costs as necessary to independent motor vehicle branch managers. All rents
6 collected under this section must be deposited in the state highway fund. The department and
7 the officers thereof shall enforce the provisions of all laws pertaining to the director and the
8 department.

9 **SECTION 25.** A new section to chapter 48-01.2 of the North Dakota Century Code is
10 created and enacted as follows:

11 **Bids less than authorized project amount - Additional expense approval - Budget**
12 **section report.**

13 Upon accepting a bid under this chapter, if the accepted bid is less than all funds dedicated
14 to the public improvement, the governing body of an entity that has received an appropriation of
15 moneys from the general fund of the state treasury for the public improvement shall immediately
16 notify the office of management and budget. Any change order or expenses exceeding the bid
17 amount must be submitted to the office of management and budget for approval. The office of
18 management and budget shall report all approved change orders or additional expenses to the
19 budget section of the legislative management.

20 **SECTION 26. AMENDMENT.** Subdivision a of subsection 2 of section 54-03-20 of the North
21 Dakota Century Code is amended and reenacted as follows:

22 a. Each member of the legislative assembly is entitled to receive reimbursement for
23 lodging, which may not exceed per calendar month the amount established under
24 this subdivision by the director of the office of management and budget for
25 lodging in state and which may not exceed the rate provided in section 44-08-04
26 for each calendar day during the period of any organizational, special, or regular
27 session. On August first of each even-numbered year, the director of the office of
28 management and budget shall set the maximum monthly reimbursement for the
29 subsequent two-year period at an amount equal to thirty times ~~fifty-fivesixty-five~~
30 percent of the daily lodging reimbursement in effect on that date as provided
31 under subdivision d of subsection 2 of section 44-08-04.

1 **SECTION 27.** A new subdivision to subsection 1 of section 54-10-14 of the North Dakota
2 Century Code as amended by section 1 of House Bill No. 1145, as approved by the
3 sixty-second legislative assembly, is created and enacted as follows:

4 Housing authorities not required to be audited by the federal department of
5 housing and urban development.

6 **SECTION 28. AMENDMENT.** Section 54-16-03.1 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **54-16-03.1. Submission of petition to emergency commission.**

9 When an emergency exists, a state officer may present to the emergency commission an
10 itemized petition requesting approval to transfer money and spending authority between funds
11 or line items pursuant to section 54-16-04; accept and expend federal funds pursuant to section
12 54-16-04.1; accept and expend state contingency funds pursuant to section 54-16-09; accept
13 and expend other funds pursuant to section 54-16-04.2; or recommend full-time equivalent
14 positions pursuant to section 54-16-04.3. Any petition to the emergency commission by a state
15 officer must be approved or recommended by the emergency commission prior to submission
16 for consideration by the budget section.

17 **SECTION 29.** A new section to chapter 54-27 of the North Dakota Century Code is created
18 and enacted as follows:

19 **Report on federal grants by state agency.**

20 Each state agency, excluding entities under the control of the state board of higher
21 education, shall report to the office of management and budget before applying for a federal
22 grant for which the agency may receive estimated funding of twenty-five thousand dollars or
23 more. The report must include the purpose of the grant; the potential amount of the grant; any
24 additional employees that may be required because of the grant; the time period covered by the
25 grant; and grant requirements, including state matching requirements or maintenance of effort.
26 The state agency shall provide updates on the status of the grant application as required by the
27 office of management and budget. At each meeting of the budget section of the legislative
28 management, the office of management and budget shall report to the budget section on the
29 reports received from state agencies under this section.

30 **SECTION 30. AMENDMENT.** Section 54-35-02.3 of the North Dakota Century Code is
31 amended and reenacted as follows:

1 **54-35-02.3. Employee benefits programs committee - Appointment - Selection of**
2 **chairman.**

3 The legislative management, during each biennium, shall appoint an employee benefits
4 programs committee in the same manner as the legislative management appoints other interim
5 committees. The legislative management shall appoint ~~five~~seven members of the house of
6 representatives and ~~four~~six members of the senate to the committee. The legislative
7 management shall designate the chairman of the committee. The committee shall operate
8 according to the statutes and procedure governing the operation of other legislative
9 management interim committees.

10 **SECTION 31. DEPARTMENT OF COMMERCE - TOURISM INFRASTRUCTURE GRANTS**
11 **- EMERGENCY COMMISSION AND BUDGET SECTION APPROVAL.** Funding provided to the
12 department of commerce for tourism infrastructure grants in Senate Bill No. 2057, as approved
13 by the sixty-second legislative assembly, may be awarded and spent only upon emergency
14 commission and budget section approval, for the biennium beginning July 1, 2011, and ending
15 June 30, 2013.

16 **SECTION 32. EMERGENCY.** Sections 13, 19, 21, 23, and 24 of this Act are declared to be
17 an emergency measure.